



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/487,729	01/19/2000	Baik-hee Han	Q57577	3502

7590 07/16/2003

Sughrue Mion Zinn MacPeak & Seas PLLC
2100 Pennsylvania Avenue NW
Washington, DC 20037-3202

EXAMINER

NATNAEL, PAULO M

ART UNIT	PAPER NUMBER
----------	--------------

2614

DATE MAILED: 07/16/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/487,729

Applicant(s)

HAN, BAIK-HEE

Examiner

Paulos M. Natnael

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1,2,5, and 6** are rejected under 35 U.S.C. 102(e) as being anticipated by Tsukagoshi, U.S. Pat. No. 5,034,819.

Considering claim **1**, Tsukagoshi discloses all claimed subject matter, note;

- a) the claimed key input for inputting a channel number according to a user's selection is met by Input apparatus 8, (Fig. 1).
- b) the claimed a tuner for tuning to a channel corresponding to the channel number selected by the key input, among received broadcasting signals is met by Tuner 2, (Fig. 1);
- c) the claimed a signal processor for processing a composite video signal of said channel tuned and output from the tuner is met by video receiving circuit 4, (Fig. 1);

d) the claimed a memory for storing the channel number is met by RAM 9, (Fig. 1);

e) the claimed a controller for receiving the channel number output from the key input and storing the channel number output from the key input in the memory while controlling the tuner to tune to a broadcasting channel corresponding to the received channel number is met by Channel Selecting Microcomputer 3, (Fig. 6). (col.3, lines 59-64)

Considering claim 2, the claimed wherein the controller receives the signal output from the signal processor, determines whether a broadcasting signal is present in the currently tuned broadcasting channel and, stores the corresponding broadcasting channel number in the memory only if a broadcasting signal is present is met by the disclosure that the "the channel selecting microcomputer 3 will judge the respective receiving channels by the judging signal from the synchronizing circuit 7 as to whether they are signal channels or no signal channels and will have the RAM 9 memorize the data showing the channel numbers or the signal channels." (Col. 4, lines 3-8)

Considering claim 5, see rejection of claim 1.

Considering claim 6, see rejection of claim 2.

Art Unit: 2614

3. Claims **1-8** are rejected under 35 U.S.C. 102(e) as being anticipated by Toyoshima et al, U.S. Pat. No. 5,512,955.

Considering claim **1**, Toyoshima et al. discloses all claimed subject matter, note;

a) the claimed key input for inputting a channel number according to a user's selection is met by both Receiving Unit 7 and Operation Key 6, (Fig. 1). (see col. 3, lines 11-13)

b) the claimed a tuner for tuning to a channel corresponding to the channel number selected by the key input, among received broadcasting signals is met by Channel Select circuit 2, (Fig. 1);

c) the claimed a signal processor for processing a composite video signal of said channel tuned and output from the tuner is met by Video Intermediate Frequency Amp/Detect 3, Video Signal Processing 4, and Information Signal Analysis 5, (Fig. 1);

d) the claimed a memory for storing the channel number is met by Memory (RAM) 9, (Fig. 1);

e) the claimed a controller for receiving the channel number output from the key input and storing the channel number output from the key input in the memory while controlling the tuner to tune to a broadcasting channel corresponding to the received channel number is met by Control Microcomputer (CPU) 8, (Fig. 6). (see col. 3, lines 7-17)

Considering claim 2, the claimed wherein the controller receives the signal output from the signal processor, determines whether a broadcasting signal is present in the currently tuned broadcasting channel and, stores the corresponding broadcasting channel number in the memory only if a broadcasting signal is present is met by the disclosure that the "If an affirmative result is obtained at SP4 tile, CPU 8 proceeds to the succeeding step SP5 and receives the information signal SG from the information signal analyzing circuit 5. At step SP6, the CPU 8 writes the information of the information signal SG along with the channel number to the memory 9, and then proceeds to the succeeding step SP7." (col. 3, lines 59-64)

Considering claim 3, Toyoshima et al. discloses all claimed subject matter, note;

a) the claimed a character signal generator for generating a character signal for indicating memorization of the channel number selected by the key input is met by the display circuit 11, Fig.1;

b) a mixer for mixing a signal output from the signal processor with a signal output from the character signal generator is met by the Video signal processing circuit 4, which receives display information from display CCT 11 and video information from video intermediate Frequency Amp/Detect, and after mixing the two signals, outputs an SVN to display 13;

Art Unit: 2614

c) the claimed a display for displaying a signal output from the mixer is met by the Display Unit 13, Fig.1.

Considering claim 4, the claimed wherein the controller controls the character signal generator to generate a current broadcasting channel number and a character signal indicating memorization of the channel number so that said user can easily identify the memorized broadcasting channel is met by the Control Microcomputer (CPU) 8, which after determining "whether [the signal] is an active channel or not" proceeds to step 5 and "receives the information signal SG from the information signal analyzing circuit 5" then "writes the information of the information signal SG along with the channel number to the memory 9". (col. 3, lines 55-64)

Considering claim 5, see rejection of claim 1.

Considering claim 6, see rejection of claim 2.

Considering claim 7, see rejection of claim 3.

Considering claim 8, see rejection of claim 4.

Response to Arguments

1. Applicant's arguments filed May 5,2003 have been fully considered but they are not persuasive. Rejection follows:

Applicant's Arguments

a) Tsukagoshi fails to disclose or suggest a controller that stores the channel number output from the key input in the memory while controlling the tuner to tune a broadcasting channel corresponding to the received channel number. For example, Tsukagoshi requires a user to press either one of an ADD/ERASE key 11 or an AUTO PROGRAM key 12 to initiate storing of channels.

b) Indeed, Toyoshima fails to disclose or suggest a controller that stores a channel number output from a key input in a memory while controlling the tuner to tune a broadcasting channel corresponding to the received channel number.

Examiner's Response

a) Tsukagoshi discloses a channel selecting apparatus and method used in a television receiving apparatus and capable of memorizing channel data(see title). Tsukagoshi discloses a tuner 2 controlled by channel selecting microcomputer 3 which includes a RAM 9 within. The microcomputer receives input from the input apparatus 8. "In this case, the channel selecting microcomputer 3 will judge the respective receiving circuit 7 as to whether they are signal channels or no-signal channels and will have the RAM 9 memorize the data showing the channel numbers of the signal channels." (col. 4, lines 2-8) It is clear from the above the reference of Tsukagoshi teaches that the channel data received from the input apparatus is stored in RAM 9, while the microcomputer

Art Unit: 2614

controls the tuner according to the designated channel by the user. (see col. 3, lines 64-66) Therefore, the argument that the Tsukagoshi does not disclose or suggest "a controller that stores the channel number output from the key input in the memory while controlling the tuner to tune a broadcasting channel corresponding to the received channel number" is considered unpersuasive. The rejection stands.

b) Toyoshima et al. discloses a TV receiver for receiving a broadcast signal and station information. Toyoshima et al. discloses a control microcomputer 8 which control the operation of the receiver. The system includes a RF signal receiver 1, channel select 2, and IR signal receiving unit 7. Specifically, Toyoshima et al. teaches that "the channel selection is performed in accordance with the channel number which is shown by the counter, at the succeeding step SP3...the CPU 8 writes the information of the information signal SG along with the channel number to the memory 9..." (col. 3, line 53-64) Therefore, the Toyoshima system teaches "a controller that stores a channel number output from a key input in a memory while controlling the tuner to tune a broadcasting channel corresponding to the received channel number", and the argument otherwise is unpersuasive.

Conclusion

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2614

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (703) 305-0019. The examiner can normally be reached on 6:30am-3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



MICHAEL H. LEE
PRIMARY EXAMINER

PMN PMN
July 3, 2003